IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

WP(C).No. 28612 of 2007(F)

PETITIONER:

SHAMSUDEEN, S/O PAREED,
AGED 41 YEARS, CHATHANKODATH HOUSE,
KOTTAPURAM, ERNAKULAM DISTRICT.

BY ADV. SRI.T.M.KOCHUNNI

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY, LOCAL SELF GOVERNMENT DEPARTMENT,
STATE SECRETARIAT, THIRUVANANTHAPURAM.

2. ALANGAD GRAMA PANCHAYAT, REP. BY ITS
SECRETARY, NEERIKODE P.O., ALUVA.

3. IBRAHIM, S/O KUNJU MOHAMED,
AGED 42, VELAKKAPATTU VEEDU,
KOTTAPURAM, ERNAKULAM DIST.

4. TRIBUNAL FOR LOCAL SELF GOVERNMENT
INSTITUTIONS, THIRUVANANTHAPURAM.

R1 BY GOVT. PLEADER MR.K.J.MOHAMMED ANZAR
R3 BY ADV.SRI.S.P.CHALY
R2 BY ADV.SRI.DINESH MATHEW MURICKAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C) No.28612 of 2007

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Dated: 3rd October, 2007

JUDGMENT

Though counsel appearing for the party respondents have been put to notice regarding this Writ Petition, there is no appearance for them and thus there is no resistance to allow the main prayer in the Writ Petition which is for a direction to the Tribunal for Local Self Government Institutions to entertain the statutory appeal notwithstanding the apparent delay of 114 days. Considering the special circumstances which attend on this case and the persuasive submissions of Mr.T.M.Kochunni, counsel for the petitioner and on the consideration that causes as far as possible should be adjudicated on their merits, I dispose of the Writ Petition directing the Tribunal for Local Self Government Institutions (4th respondent) to entertain the appeal preferred by the petitioner against Ext.P1 and dispose of the same notwithstanding the delay, in accordance with law. Considering the above directions, implementation of Ext.P1 is stayed for a period of one month. It is open to the petitioner to seek extension of stay from the Tribunal.

srd **PIUS C.KURIAKOSE, JUDGE**